IN THE HIGH COURT OF JUDICATURE, ANDHRA PRADESH
AT HYDERABAD

(Special Original Jurisdiction)

TUESDAY, THE FIFTH DAY OF APRIL
TWO THOUSAND AND FIVE

PRESENT

THE HON'BLE MR JUSTICE V.ESWARAIAH

WRIT PETITION NO : 7519 of 2004

Between:

Pramod Kumar Jain, s/o Kailash Chand Jain, Occ:Business, r/o 22-6-1078, Opp:Fine Bakery, Kalikaman, Gulzar House, Hyderabad.

... PETITIONER

AND

1 Commissioner of Police, Twin City, Basheerbagh, Hyderabad.
2 T.Raghupathi Goud, Inspector of Police, Mirchowk P.S., Hyderabad.
3 Ghousulal Jain, s/o Phoolchand Jain, Occ:Business, R/o B-Block, Flat no.301,

Eden House Apartment, Ramkote, Hyderabad.

...RESPONDENTS

Petition under Article 226 of the constitution of India praying that in the circumstances stated in the Affidavit filed herein the High Court may be pleased to issue a writ, order or direction more particularly one in the nature of writ of mandamus declaring the action of the respondent no.1 to 3 in interfering with the business of the petitioner by calling day and night without registration of any crime against him or pending in any court of law calling him without registration of any crime not following procedure prescribed under Cr.P.C., is the violation of fundamental rights guaranteed under Article 14 and21 of Constitution of India as illegal, arbitrary and unconstitutional

Counsel for the Petitioner: MR.SRI KRISHNA SHARMA

Counsel for the Respondents: GP FOR HOME

The Court made the following order:

ORDER:

The grievance of the petitioner is that the respondents 1 and 2 are illegally interfering with his business by calling him day and night to the police station without registering of any crime against him, which is violation of fundamental rights guaranteed by the Constitution of India.

It is stated that the police brought the petitioner to the police station on 06.04.2004 and illegally interfered with the life and liberty of the petitioner even though he is not involved in any criminal offence.

Counter has been filed by the Inspector of Police, Mirchowk Police Station stating that the petitioner was never brought to the police station as alleged by him on 06.04.2004 at 9.30 PM and all the allegations made by the petitioner are false and without any basis whatsoever. The writ petition is filed on false and frivolous allegations. The police do not know anything about the civil disputes between the petitioner and the third respondent, which are pending and they never interfered in the civil disputes of the petitioner as alleged by him.

In view of the aforesaid categorical denial of the allegations of the petitioner by the respondents and in absence of any evidence to show that the police has interfered with the life and liberty of the petitioner, I am of the opinion that the police never interfered with the life

and liberty of the petition and there is no cause of action that give arises for filing this writ petition.

Accordingly, the writ petition is dismissed. No costs.

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V. ESWARAIAH, J

April 5, 2005

Dsk

To

1 Commissioner of Police, Twin City, Basheerbagh, Hyderabad.
2 T.Raghupathi Goud, Inspector of Police, Mirchowk P.S., Hyderabad.

3 Two CCs to GP For Home, High Court Buildings, Hyderabad (OUT)

Two CD Copies.